



William E. Simmons  
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December 19, 2013

**By U.S. Mail & E-Mail: [jcsrd@cand.uscourts.gov](mailto:jcsrd@cand.uscourts.gov)**

Magistrate Judge Joseph Spero  
United States District Court, Northern District of California  
San Francisco Courthouse, Courtroom G - 15th Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102

Re: Estate of Matthew Cicelske, et al. v. City of Oakland, et al.  
Case No. C13-00379 JSC

Dear Magistrate Judge Spero:

This matter is set for a settlement conference before you on January 21, 2014 at 9:30 a.m.

I have been advised by named defendants Adam Humphrey and Tony Jones that they will both be out of the country on the day of the settlement conference. I request that their presence at the conference be excused.

I anticipate that the other officer defendants involved in the use of force will be in attendance and that the absence of defendants Humphrey and Jones will not be an impediment to resolution of the matter.

Thank you for your consideration.

Sincerely,

LOZANO SMITH

A handwritten signature in blue ink, appearing to be 'WES', written over the printed name of William E. Simmons.

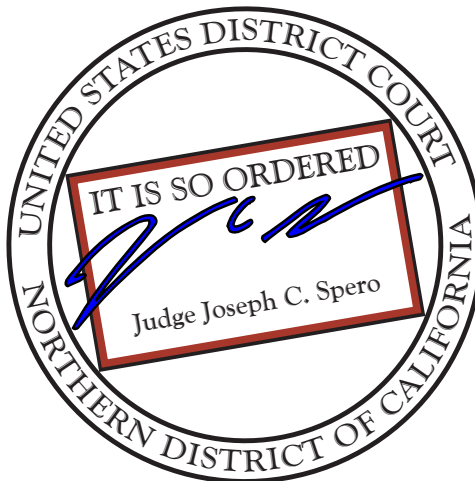
William E. Simmons

WES/df

cc: Ben Rosenfeld, Esq.

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Dated: 1/6/14



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